

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

JUL 06 2004

NORFOLK SOUTHERN RAILWAY
COMPANY,

Plaintiff,

v.

ABC-NACO INC.,

Defendant.

Per

DEPUTY CLERK

Civil Action No. 1:01cv704

Judge Christopher C. Conner

REPORT OF DEFENDANT
ABC-NACO, INC.

Pursuant to the Court's Order dated June 10, 2004, Defendant ABC-NACO, Inc.

submits the following report:

1. Counsel for ABC-NACO, Inc. spoke with counsel for Plaintiff, Norfolk Southern Railway Company, on June 29, 2004. At that time, counsel discussed the available information regarding the current status of the Defendant's bankruptcy proceeding. Information provided by Debtor's counsel is as follows:

- (a) ABC-NACO, Inc. remains in bankruptcy and the bankruptcy stay also remains in effect.
- (b) A final plan of liquidation has yet to be filed, but it is anticipated that such will be filed after conclusion or other resolution of any remaining causes of action that are being pursued on behalf of the Debtor.

- (c) Counsel have been apprised that the likelihood of any substantial recovery by any unsecured creditors is very remote.

Respectfully submitted,

ZIMMER KUNZ, PLLC

By 

George R. Farneth II
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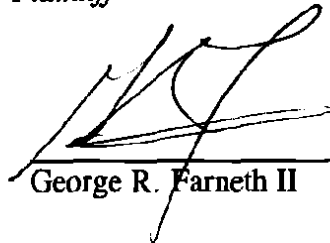
Date: June 30, 2004

Attorneys for ABC-NACO, Inc., Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon counsel of record this 30~~th~~ day of June, 2004, by United States mail, first-class, postage prepaid, addressed as follows:

Kenneth J. Grunfeld, Esquire
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